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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 TRISTAN L. BRACY,

11 Petitioner,

No. CIV S-98-2431 FCD DAD P

12 vs.

13 ROBERT L. AYERS, et al.,

14 Respondents.

15 _____/
16 ROBERT ANTHONY DRAYTON,

17 Petitioner,

No. CIV S-99-0708 GEB DAD P

18 vs.

19 R. CASTRO,

20 Respondent.

ORDER

21 _____/
22 Petitioners in the above-captioned cases were co-defendants in state court
23 proceedings. In the Drayton case, respondent requested judicial notice of Clerk's and Reporter's
24 Transcripts previously lodged in the Bracy case. (See Resp't's Notice of Lodging attached to
25 Answer filed Oct. 13, 1999.) The court has taken judicial notice of the transcripts and has cited
26 them in the findings and recommendations filed in the Drayton case on December 7, 2006.

1 In the Bracy case, the petition for writ of habeas corpus was denied and judgment
2 was entered on April 19, 2002. No appeal was filed, and the motion for a certificate of
3 appealability filed by the petitioner on May 23, 2003, was denied on June 5, 2003. The Ninth
4 Circuit's order denying a certificate of appealability was docketed in this court on August 20,
5 2003. The transcripts are no longer needed in the Bracy case.

6 Accordingly, IT IS ORDERED that the Clerk of the Court is directed to remove
7 from case No. CIV S-98-2431 the Clerk's and Reporter's Transcripts lodged in that action on
8 May 19, 1999 (docket entry #9) and to lodge the transcripts in case No. CIV S-99-0708.

9 DATED: January 9, 2007.

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12 _____
13 DALE A. DROZD
14 UNITED STATES MAGISTRATE JUDGE

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